

MAINE STATE LEGISLATURE

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OK
R. of S.

L.D. 2019

(Filing No. S- 617)

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STATE OF MAINE
SENATE
115TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 820, L.D. 2019, Bill, "An Act to Amend the Election Laws"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 21-A MRSA §103, sub-§1, as amended by PL 1991, c. 466, §2, is further amended to read:

1. Population of 5,000 or over. In a city or town that has a population of 5,000 or over, a board of registration consisting of 3 members must be appointed as follows: One member nominated by the municipal committee of each of the major political parties, who must be enrolled in the party of the municipal committee that nominates the member and appointed by the municipal officers, and the 3rd member nominated by the clerk of the municipality and appointed by the municipal officers. The 2 members of the board nominated by the municipal committees of the major political parties may be members of the political committee nominating them and of the county or state committees of the political party that nominates them and may be members of a state or county delegation to a political convention. When a municipal committee nominates a member to the board of registration, it shall also nominate an alternate board member, who shall serve if the member nominated by the municipal committee is or becomes unable to serve.

Sec. 2. 21-A MRSA §303, sub-§1, as enacted by PL 1985, c. 161, §6, is amended to read:

COMMITTEE AMENDMENT

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 820, L.D. 2019

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1. **Declaration of intent.** ~~A voter or group of Ten or more~~ voters who are not enrolled in a party qualified under section 301 must file a declaration of intent to form a party with the Secretary of State. The declaration of intent must be on a form designed by the Secretary of State and must include:

- A. The designation of the proposed party; and
- B. ~~The name--and--address~~ names, addresses and telephone numbers of the ~~voter or one of the group of~~ voters who file the declaration of intent.

Sec. 3. 21-A MRSA §606, sub-§3-A, ¶A is enacted to read:

A. The clerk shall notify the chairs of each political party of the municipality, in writing, of the time and place the test ballots will be tested as required in section 854. If the clerk is unable to notify the chair of the municipal political party, the clerk shall notify the chair of the county or state political party.

Sec. 4. 21-A MRSA §621, first ¶, as enacted by PL 1985, c. 161, §6, is amended to read:

The Secretary of State shall send the warrants to the municipal clerk, who shall present them to the municipal officers. The municipal officers of each municipality shall announce an election as follows.

Sec. 5. 21-A MRSA §753, sub-§3-A, as enacted by PL 1987, c. 62, §2, is amended to read:

3-A. Alternate method of balloting by residents of licensed nursing homes, licensed boarding homes or certified congregate housing units. The municipal clerk shall designate one or more times during the 30-day period prior to an election during which the municipal clerk shall must be present in any licensed nursing home, as defined in Title 22, chapter 405; licensed boarding home, as defined in Title 22, chapter 1665; or certified congregate housing unit, as defined in Title 22, chapter 1457-A, for the purpose of absentee balloting by the residents of these homes or units. The clerk shall designate which areas in these facilities constitute the voting place, the voting booth and the guardrail enclosure. Sections 681 and 682 apply to voting in these facilities within the areas designated by the clerk.

Sec. 6. 21-A MRSA §759, sub-§7, as enacted by PL 1991, c. 466, §32, is amended to read:

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 820, L.D. 2019

7. ~~Processing before close of polls.~~ If A notice is given following the procedure in section 621 signed by the municipal officers must be posted at least 7 days before election day in the same manner as posting the warrant under section 621, stating that the clerk intends to begin process processing absentee ballots after 2:00 p.m. on election day, the . The warden may review the notes of the clerk on each return envelope and deposit the absentee ballots into the ballot box before the close of the polls. The clerk shall notify the chairs of each political party of the municipality, in writing, that this procedure is to occur. If the clerk is unable to notify the chair of the municipal political party, the clerk shall notify the chair of the county or state political party.

Sec. 7. 21-A MRSA §901, sub-§4, as enacted by PL 1985, c. 161, §6, is amended to read:

4. **Ballot question.** The ballot question for initiative and people's veto referenda shall must be drafted by the Secretary of State in accordance with section 906 and rules adopted under it in accordance with the Maine Administrative Procedure Act. The question must be conspicuously displayed on the face of the petition.

Sec. 8. 30-A MRSA §1322, sub-§6, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

6. **Election.** When the final report is filed, the county commissioners shall order the proposed new charter or charter revision to be submitted to the voters of the county at the next regular or special statewide election held at least 30 60 days after the final report is filed.

FISCAL NOTE

The additional local costs of implementing changes in the election laws will require full funding by the State as a state mandate pursuant to the Maine Revised Statutes, Title 30-A, section 5684. The General Fund appropriations required to fund these costs can not be estimated at this time.'

STATEMENT OF FACT

The amendment strikes provisions of the bill that penalize circulators of initiative or referendum petitions who misrepresent the true meaning or intent of the petition or

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 820, L.D. 2019

2 petition process and the provisions that require circulators of a
petition to convey the true meaning or intent of the referendum
4 or initiative and of the petition process while collecting
signatures.

6 The amendment also strikes sections of the bill permitting
municipal officers to remove members of the board of
8 registration, limiting the price registrars may charge for
reproducing a voter list and requiring persons attempting to form
10 a new political party to obtain signatures at least equal to 5%
of the votes cast at the last gubernatorial election before
12 voters can enroll in that party.

14 The amendment permits members of the board of voter
registration who are nominated by the political parties to be
16 members of the state or county committees of that party and
requires the municipal clerk to notify the chairs of the state or
18 county parties of the time for testing ballots and of the 2 p.m.
time for starting processing of absentee ballots on election day
20 if the clerk can not locate the chair of the municipal party
committee.

22 Finally, the amendment requires a person conducting polling
24 at licensed nursing homes, licensed congregate housing and
licensed boarding homes to designate the areas that constitute
26 the voting booth, the guardrail enclosure and the voting place
for purposes of applying the restrictions against influence and
28 advertising.

Reported by Senator Mills for the Committee on Legal Affairs.
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(3/11/92) (Filing No. S-617)